

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BOB BRIGHTWELL,)
)
Plaintiff,) Civil Action No. 03 - 205J
)
vs.) Judge Kim R. Gibson
) Magistrate Judge Lisa Pupo Lenihan
JOSEPH LEHMAN, in his official capacity)
as the Commissioner of Pennsylvania)
Department of Corrections; RAYMOND J.)
SOBINA, in his official capacity as)
Superintendent of the State Correctional)
Institution at Somerset; SYLVIA GIBSON,)
in her official capacity as Deputy)
Superintendent for Centralized Services of the)
State Correctional Institution at Somerset;)
GERALD ROZUM, in his official capacity as)
Acting Deputy Superintendent for Facilities)
Management of the State Correctional)
Institution at Somerset; DANIEL J.)
GEHLMANN, in his official capacity as Major)
of Unit Management of the State Correctional)
Institution at Somerset; and LEO GLASS, in his)
official capacity as Captain of Inmate Receiving)
Committee (I.R.C.) of the State Correctional)
Institution at Somerset,)
)
Defendants.

MEMORANDUM ORDER

Plaintiff's complaint was received by the Clerk of Court on September 11, 2003, and was referred to United States Magistrate Judge Ila Jeanne Sensenich for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges. The case was transferred to Magistrate Judge Lisa Pupo Lenihan on April 6, 2004.

The Magistrate Judge's Report and Recommendation, filed on December 13, 2006, recommended that Plaintiff's Motion for Preliminary Injunction, Hearings, Sanctions, (etc.) (doc. no. 118) be denied. The Report and Recommendation was mailed to Plaintiff at SCI Mahanoy on 12/13/06, then forwarded to SCI Houtzdale where it was apparently refused. Upon search of the Pennsylvania Department of Corrections (DOC) Inmate Locater, it was confirmed that Plaintiff is in fact located at SCI Houtzdale. The Report and Recommendation was resent to Plaintiff on January 3, 2007. No objections have been filed. After review of the pleadings and the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 15th day of February, 2007;

IT IS HEREBY ORDERED that Plaintiff's Motion for Preliminary Injunction, Hearings, Sanctions, (etc.) (doc. no. 118) is **DENIED**.

The Report and Recommendation of Magistrate Judge Lenihan, dated December 13, 2006, is adopted as the opinion of the court.



Kim R. Gibson
United States District Judge

cc: Lisa Pupo Lenihan
U.S. Magistrate Judge

Bob Brightwell
AM-5842
SCI Houtzdale
P.O. Box 1000
Houtzdale, PA 16698-1000

Kemal Alexander Mericli
Office of the Attorney General
Civil Litigation Section
564 Forbes Avenue
6th Floor, Manor Complex
Pittsburgh, PA 15219